

**COMBINED AMENDMENT & PETITION FOR EXTENSION OF  
TIME UNDER 37 CFR 1.136(a) (Small Entity)**

Docket No.

922.6588

RECEIVED

FEB 03 2000

In Re Application Of: **Henry Daniell**

Serial No.

09/079,640

Filing Date

May 15, 1998

D. Fox

Group Art Unit

1649

Invention: **UNIVERSAL CHLOROPLAST INTEGRATION AND EXPRESSION VECTORS, TRANSFORMED  
PLANTS AND PRODUCTS THEREOF**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of 9/10/99 in the above-identified application.  
Date

The requested extension is as follows (check time period desired):

☐ One month ☐ Two months ☒ Three months ☐ Four months ☐ Five months

from: 10/10/99 until: 01/10/00  
Date Date

A verified statement of small entity status as a small entity under 37 CFR 1.27:

- ☐ is enclosed.  
☒ has already been filed in this application.

The fee for the amendment and extension of time has been calculated as shown below:

**CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	-	20 =	0	x \$9.00	\$0.00
INDEP. CLAIMS	-	3 =	0	x \$39.00	\$0.00
FEE FOR AMENDMENT					\$0.00
FEE FOR EXTENSION OF TIME					\$435.00
<b>TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME</b>					<b>\$435.00</b>

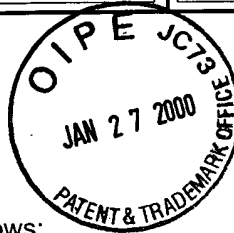
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**COMBINED AMENDMENT & PETITION FOR EXTENSION OF  
TIME UNDER 37 CFR 1.136(a) (Small Entity)**

Docket No.  
922.6588P



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The fee for the amendment and extension of time is to be paid as follows:

- ☒ A check in the amount of **\$435.00** for the amendment and extension of time is enclosed.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of **\$435.00**  
A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **13-3405**  
A duplicate copy of this sheet is enclosed.
  - ☒ Any additional filing fees required under 37 C.F.R. 1.16.
  - ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **13-3405** A duplicate copy of this sheet is enclosed.

*Gerard J. Weiser*

Signature

Dated: 01/10/00

Gerard J. Weiser, 19,763

I certify that this document and fee is being deposited on 1/10/00 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*Kim Sheehan*

Signature of Person Mailing Correspondence

**Kim Sheehan**

Typed or Printed Name of Person Mailing Correspondence

CC:

#9  
2-4-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1649  
Examiner : D. T. Fox  
Serial No. : 09/079,640  
Filed : May 15, 1998  
Inventors : Henry Daniell  
Title : UNIVERSAL CHLOROPLAST  
: INTEGRATION AND EXPRESSION  
: VECTOR, METHOD OF USE AND  
: TRANSFORMED PLANTS



1600 Market Street  
Suite 3600  
Philadelphia, PA 19103

Docket: 922.6588P

Dated: January 10, 2000

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the Requirement for Restriction dated September 10, 1999, kindly reconsider the requirement based on the following remarks.

**Remarks**

The Applicants acknowledge the Requirement for Restriction and respectfully traverse.

A copy of this response is being provided to Examiner Schwartz, Biotechnology Practice Specialist, at his request, after having discussed the case with Gerard Weiser on November 2, 1999.

The Applicants respectfully submit that there should be no restriction at all in this case. All of the claims in the case are clearly related. The claims center around a Universal Vector ("UV") which can be used to transform plant chloroplasts to produce a variety of products in plants. The key concept is the integration into the plant chloroplast into a region that is conserved among a variety of plant species.

**1. The inventions are related as determined by MPEP 806.04 and 808.01:**

We invite the Examiner's close attention to the examples of "independent" inventions provided in MPEP 806.04(A) which describes "two different combinations, not